

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

15-CR-148-A

ARAFAT NAGI,

Defendant.

GOVERNMENT'S EXPERT DISCLOSURE

THE UNITED STATES OF AMERICA, by and through its attorneys, James P. Kennedy, Jr., United States Attorney for the Western District of New York, Timothy C. Lynch, Assistant United States Attorney, of counsel, hereby submits its expert disclosure pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, and requests leave to submit such other disclosures as may be appropriate prior to or at the close of the evidence.

1. CHRISTOPER DECKER

Christopher J. Decker is an IT Specialist – Forensic Examiner at the Western New York Regional Computer Forensics Laboratory (RCFL). Mr. Decker will provide testimony in the trial of the above-captioned matter relating to the extraction of evidence from Exhibits 41, 43 and 44 seized from the defendant at 151 Olcott Street, Lackawanna, New York.

Mr. Decker has been employed by the Federal Bureau of Investigation as an IT Specialist – Forensic Examiner since December 2011. Prior to that time, he was employed as Erie County Deputy Sheriff with Erie County from August 2008 to December 2011.

Between August 2010 and December 2011, while employed as a Deputy Sheriff, he was assigned to the RCFL as a Forensic Examiner.

Mr. Decker has extensive specialized training in evidence handling and computer forensic processes as detailed in his resume, which is attached as Exhibit A. As a Forensic Examiner, Mr. Decker is responsible for the accurate extraction of information from computer-based systems. Mr. Decker has extensive training relating to computers as set forth in Exhibit A.

Mr. Decker is expected to testify regarding aspects of the forensic analysis of computers and electronic devices including, but not limited to, the imaging process and the technology and software used to analyze forensically a computer and other electronic devices. Mr. Decker will also testify about his analysis of Exhibits 41, 43 and 44, and will discuss some of the items located on each device and how he located the items. Mr. Decker will also testify as to the location where the items were stored, and the significance of the storage locations.

2. AIDEED (“Mike) A. MOHAMED

Aideed Mohamed is presently employed as an Arabic linguist with the Federal Bureau of Investigation. He has served in this capacity for the past 37 years.

Mr. Mohamed was born and raised in Yemen and grew up in a household where his parents spoke Arabic. As such, Mr. Mohamed grew up speaking Arabic in his family's

home. In addition, Mr. Mohamed received instruction in Arabic while growing up in Yemen. He was also employed as a Chief Inspector of Police in Yemen.

Mr. Mohamed learned the English language while living in the United Kingdom and the United States. Mr. Mohamed has a Bachelor of Arts from Leeds College, Yorkshire, England and attended post-graduate classes in the United States. These higher education courses were taught in the English language.

While at the FBI, he has passed FBI examinations in Arabic translation and interpretation. He has achieved the highest level 5 in Arabic and a level 4 in English. During his time at the FBI, he has attended several Arabic language in-services and workshops. Finally, he is currently a Quality Control Reviewer of Arabic translation and a tester in speaking proficiency.

The government will call Mr. Mohamed at trial as an expert in interpreting Arabic to English. In this regard, Mr. Mohamed is expected to testify concerning his interpretation of Arabic writings into the English language.

3. SCOTT ROMUS

Scott Romus is a Special Agent with the Federal Bureau of Investigation. As part of his duties, he is a Forensic Examiner at the Western New York Regional Computer Forensics Laboratory (RCFL). Special Agent Romus will provide testimony in the trial of the above-

captioned matter relating to the extraction of evidence from Exhibits 4, 5, and 42 seized from the defendant.

Special Agent has been employed by the Federal Bureau of Investigation as a Special Agent since January 2001 and as a Forensic Examiner since February 2008. Prior to that time, he was employed at the FBI as a Computer Specialist from March 1997 to January 2001, and as a Computer Specialist with Certo Brothers Distributing from March 1992 to March 1997. Special Agent Romus has a Bachelor's Degree in Management Information Systems from the University of Buffalo.

Special Agent Romus has extensive specialized training in evidence handling and computer forensic processes as detailed in his resume, which is attached as Exhibit B. As a Forensic Examiner, SA Romus is responsible for the accurate extraction of information from computer-based systems. SA Romus has extensive training and experience relating to computers as set forth in Exhibit B.

Special Agent Romus is expected to testify regarding aspects of the forensic analysis of computers and electronic devices including, but not limited to, the imaging process and the technology and software used to analyze forensically a computer and other electronic devices. Special Agent Romus will also testify about his analysis of Exhibits 4, 5, and 42, and will discuss some of the items located on each device and how he located the items. Special

Agent Romus will also testify as to the location where the items were stored, and the significance of the storage locations.

4. AARON Y. ZELIN

The government intends to call Aaron Y. Zelin as an expert witness at trial. Mr. Zelin is an expert in international terrorism, with a primary focus on terrorist groups based in the Middle East. Mr. Zelin holds a Masters of Arts Degree from Brandeis University in Islamic and Middle Eastern Studies. The government has attached a copy of Mr. Zelin's curriculum vitae as Exhibit C.

Mr. Zelin will be called to testify as an expert in the global jihadi movement and the designated terrorist organization of the Islamic State of Iraq and the al-Sham (ISIS). In particular, he will be asked about ISIS's history, structure, strategic goals, geographic location, and methods and means, including the organization's use of social media and propaganda materials to recruit fighters from the United States and other western counters and its use of the Turkish border with Syria as an entry point for foreign recruits. Mr. Zelin will further testimony about the meaning of certain jargon used by the defendant or that appears in the materials the defendant kept on his electronic devices, including, but not limited to, the terms "jihad," "daesh," "dua," "bayat," and "supplication."

Mr. Zelin will also testify regarding certain Twitter handles used by the defendant, including @Minbar_s, which was key cog within ISIS's propaganda efforts on Twitter. This account was a key link between the core accounts already within ISIS's Twitter network and

those more at the edges or attempting to penetrate it for support. He will explain that in a study by Austrian academic Nico Prucha on the dissemination of ISIS's video *Salil al-Sawarim #4 (Clanging of the Swords)*, @Minbar_s showed up as a key centerpiece in the distribution and later engagement of his video on Twitter. In addition, Mr. Zelin will testify that during his own research and prior to being retained as an expert in this case, he preserved "tweets" involving the defendant's Twitter account.

Finally, Mr. Zelin may be asked to testify about certain physical evidence the defendant will introduce at trial, including videos and other propaganda materials seized from the defendant's electronic devices and posted on social media platforms, and to explain the significance of these materials and the phrases, images, and symbols contained there in the context of the defendant's radicalization and embrace of ISIS and the broader global jihadi movement. In this regard, he will testify regarding ISIS's efforts to recruit foreign fighters to enter Syria to fight on behalf of ISIS, as well as the propaganda used by ISIS to facilitate this objective. These materials reference words, concepts, individuals, and places that are well-known to students of global jihad and terrorism but are unfamiliar to ordinary people.

Mr. Zelin's experience in this field, his academic studies, and his academic writings on these subjects, as extensively detailed in his curriculum vitae, will serve as the bases for his testimony and opinions.

DATED: Buffalo, New York, January 4, 2018.

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